

## 6 OTHER CEQA SECTIONS

### 6.1 SIGNIFICANT UNAVOIDABLE IMPACTS

#### 6.1.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES

California Environmental Quality Act (CEQA) Guidelines Section 21100(b)(2)(A) provides that an EIR shall include a detailed statement setting forth “in a separate section: any significant effect on the environment that cannot be avoided if the project is implemented.” Accordingly, this section provides a summary of significant environmental impacts of the project that cannot be mitigated to a less-than-significant level.

#### 6.1.2 SIGNIFICANT UNAVOIDABLE IMPACTS OF THE PROJECT

Chapter 4, “Environmental Setting, Thresholds of Significance, Environmental Impacts, and Mitigation Measures,” provides a description of the potential environmental impacts of the project and recommends various mitigation measures to reduce impacts, to the extent feasible. Chapter 5, “Cumulative Impacts,” determines whether the incremental effects of this project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. After implementation of the recommended mitigation measures, most of the impacts associated with the project would be reduced to a less-than-significant level. The following impacts are considered significant and unavoidable; that is, no feasible mitigation is available to reduce the project’s impacts to a less-than-significant level. Chapter 7, “Alternatives,” considers alternatives to the project that may be capable of reducing or avoiding some of these impacts.

#### PROJECT IMPACTS

The significant unavoidable environmental impact of the proposed project is:

**Impact 4.4a:** Effects on Known Important Cultural Resources (Building 22). The proposed project would result in the demolition and removal of Building 22, with the exception of the dungeon. Because Building 22 appears eligible for listing as a historical resource in the CRHR, demolition of any portion of this building would be a significant impact.

#### CUMULATIVE IMPACTS

##### *Air Quality*

Although implementation of regionwide mitigation measures (recommended in the Air Quality Attainment Plan of the Bay Area Air Quality Management District) including programs to improve carpooling and ridesharing, would reduce the project’s contribution to regional pollutant loads, the short-term project construction would contribute to the continued exceedance of state and federal ambient air quality standards for reactive organic gases, oxides of nitrogen, and particulate matter less than or equal to 10 microns in diameter. No other feasible mitigation is available. This would be a cumulatively significant and unavoidable impact and the project’s contribution would be cumulatively considerable.

##### *Water Supplies*

##### **Without the Condemned Inmate Complex**

Although cumulative water demands would be less than current water demands, the project would result in a net increase in water demands of 2.5 acre-feet per year (afy) over future, without project conditions, which would contribute to the further exacerbation of the Marin Municipal Water District’s (MMWD’s) operational yield shortfall. Therefore, the project would result in a considerable contribution to a cumulative significant impact on

water supply. Because the California Department of Corrections and Rehabilitation (CDCR) is already installing flush valve control devices throughout the San Quentin State Prison (SQSP), no other feasible mitigation is available to reduce this impact. Therefore, this cumulative impact would be significant and unavoidable and the project's contribution would be considerable.

Because the project in combination with cumulative projects could contribute to the need for MMWD to construct new water supply facilities, the construction of which could result in significant environmental impacts to several resources that may not be able to be mitigated to a less-than-significant level, the project's contribution to these impacts would be cumulatively considerable.

### **With the Condemned Inmate Complex**

The Condemned Inmate Complex (CIC) project would result in a net increase in water demands by 186 afy (CDCR 2004). With implementation of flush valve control devices throughout SQSP, total water demands at SQSP with the Central Health Services Center (CHSC) and CIC projects would be 815 afy (2.5 afy for the CHSC, 186 afy for CIC, and 626 afy existing demand), which is substantially less than SQSP's contracted water entitlement with MMWD. Although cumulative water demands with the CIC project would be less than current water demands, the project would result in a net increase in water demands of 2.5 afy over without project conditions, which would contribute to the further exacerbation of MMWD's operational yield shortfall. Therefore, the project would result in a considerable contribution to a cumulatively significant impact on water supply. Because CDCR is already installing flush valve control devices throughout SQSP, no other feasible mitigation is available to reduce this impact. Therefore, this cumulative impact would be significant and unavoidable and the project's contribution would be considerable.

Because the project in combination with cumulative projects including the CIC could contribute to the need for MMWD to construct new water supply facilities, the construction of which could result in significant environmental impacts to several resources that may not be able to be mitigated to a less-than-significant level, the project's contribution to these impacts would be cumulatively considerable.

## **6.2 GROWTH INDUCEMENT**

### **6.2.1 STATE CEQA GUIDELINES**

State CEQA Guidelines Section 2100(b)(5) specifies that growth-inducing impacts of a project must be addressed in an EIR. State CEQA Guidelines Section 15126(d) states that a proposed project is growth-inducing if it could "foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Included in the definition are projects that would remove obstacles to population growth. Examples of growth-inducing actions include developing water, wastewater, fire, or other types of services in previously unserved areas, extending transportation routes into previously undeveloped areas, and establishing major new employment opportunities. The following is a summary of the direct and indirect growth-inducing impacts that could result with implementation of the project.

### **6.2.2 GROWTH-INDUCING IMPACTS OF THE PROJECT**

Project construction could foster some limited short-term economic growth associated with construction employment opportunities and operation of the CHSC would foster some long-term economic growth associated with the new permanent employment opportunities (up to 75 positions). Operation of the CHSC would foster long-term growth in three ways: (1) direct growth related to employment at the prison, (2) growth related to induced employment resulting from jobs created to serve prison employees, and (3) growth resulting from prison expenditures.

CDCR estimates that each correctional job creates approximately 0.5 indirect, or secondary jobs, through payrolls and the purchase of local goods and services. Based on the wide geographic distribution of existing SQSP employee residences and given that the majority of induced jobs would require skill levels that could be provided by existing residents of the region (i.e., Marin County), induced employment is not anticipated to have a substantial effect on population growth. The project itself would not substantially increase population growth in the surrounding region because it would not construct new housing, it would not remove barriers to population growth in the vicinity through the construction of new infrastructure, and it would be located within the grounds of SQSP. The project would not require the extension or expansion of some local infrastructure (water and wastewater) facilities. The project is unlikely to tax existing community service facilities on a county and community level because of the wide geographic distribution of SQSP employee residences.

The project is estimated to increase water demands by 2.5 afy. The project would connect into MMWD's existing water supply line in Sir Francis Drake Boulevard. This water demand would not exceed MMWD's threshold for a significant impact on water supply (i.e., 100 afy). In addition, the proposed project would not require upgrades to the existing water distribution system and would not adversely affect the provision of water to existing SQSP facilities. The indirect increase in water demands as a result of the in-migration of new SQSP employees relocating to communities in the Bay Area is not anticipated to substantially affect the infrastructure or water supplies of any one water purveyor such that expansion of existing infrastructure or new water entitlements would be required.

All wastewater generated on the project site would be conveyed to existing Ross Valley Sanitary District conveyance facilities and ultimately conveyed to the Central Marin Sanitary District for treatment and discharge to San Francisco Bay. The project's incremental increase in wastewater generation would be approximately 2,250 gallons per day. Existing facilities are available to adequately accommodate project-related wastewater flows. The indirect increase in wastewater flows as a result of the in-migration of new SQSP employees relocating to communities in the Bay Area is not anticipated to substantially affect the infrastructure or treatment capacity of any one wastewater treatment entity such that expansion of existing infrastructure would be required.

Although the project would foster some economic and population growth associated with new employment opportunities at the CHSC, this growth would not substantially affect the ability of public services providers to serve their existing customers, nor would it require the construction of new facilities to serve the project. This growth would be widely dispersed throughout several counties and communities and would not result in an increased demand for housing in these areas. The population and employment growth expected with implementation of the project would not exceed the projections of local general plans in the communities surrounding the SQSP.